

Recent Decision of the Indiana Supreme Court a Shock to all.

The decision of the Indiana supreme court last week declaring that the saloon was a nuisance, came like thunder from a clear sky; it was unexpected, both to the friends and foes of the liquor traffic, with a very few exceptions. It was in the nature of an explosion, and the people after recovering from the shock are trying to find out what is the matter.

It will be found out that the foundation under most of the saloons has either dropped out, or is too rickety on which to do business. The license law in Indiana makes no exceptions as to locality; the decision disregards the letter of that statute and annuls it to a great extent and makes the saloon a nuisance, as to every person whose property or enjoyment of the same is injured by the proximity of a saloon. It will be almost as difficult for the saloon in Indiana to find land to rest on security, as did the dove first sent out from Noah's ark.

The law upon which this decision is based is not peculiar to the constitution of Indiana, or to the statutes of Indiana. In this case upon the nuisance question the decision is not founded upon the constitution or statutes of Indiana, but founded upon law that applies as much to any other state in the Union as it applies to Indiana; and if this decision is sound law in Indiana, it is sound law in every state in the Union.

As the supreme court of Indiana upon the constitutional question held against the plaintiffs in this action, the other side cannot appeal to the supreme court of the United States upon that branch of the decision which is in their favor.

As the court decided with the plaintiffs upon the nuisance issue it therefore gives to the plaintiffs all the relief they ask for in their complaint, they must accept the decision. This case can go no higher upon appeal by either side.

The supreme court in Indiana never made any decision that promised such relief or attracted such universal attention as this decision. People can hardly

bring themselves to believe that the court made a decision so radical as this one will be found to be.—Special to the Lever.

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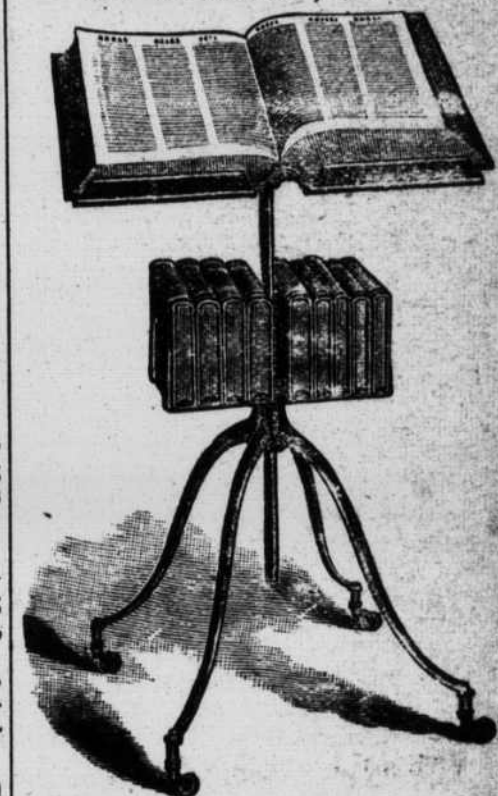
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